

April 25, 2008

TO: Philip Aikman

FROM: Teresa Parsons
Director's Review Program Supervisor

SUBJECT: Philip Aikman v. Department of Corrections (DOC)
Allocation Review Request ALLO-07-019

On February 7, 2008, I conducted a Director's review telephone conference, concerning the allocation of your position. Present during the conference call were you and David Cahill, from DOC's Human Resources Office.

Background

On January 25, 2007, the Human Resources Office at Airway Heights Corrections Center received the Position Review Request (PRR) for your position (#3018). In the request, you asked that your Correctional Industries Supervisor 2 (CIS 2) position be reallocated to the Correctional Industries Supervisor 4 (CIS 4) classification. By letter dated February 26, 2007, Human Resource Consultant Lori Olsen denied your reallocation request. Ms. Olsen concluded that the majority of the duties and responsibilities assigned to your position fit within the CIS 2 job classification.

On March 26, 2007, the Department of Personnel received your request for a Director's review of DOC's allocation determination.

The following summarizes your perspective as well as your employer's:

Summary of Mr. Aikman's Perspective

You assert your position independently manages the Computer Production Program at Airway Heights Corrections Center (AHCC). As such, you state your position requires advanced knowledge of computers, as well as supervisory and managerial skills. You assert that when the "Computer for Kids" program began in 2003, you started assuming

added responsibilities, including supervision of inmates performing a variety of distinct jobs. The jobs include sorting, repairing, refurbishing, and upgrading surplus computers from the state that go through your program. As a result, you assert that you communicate and coordinate with other state agencies and school districts to accomplish the goals of the "Computer for Kids" program. You contend the "expertise" described by the CIS 4 job classification is a better fit for the duties and responsibilities assigned to your position.

Summary of DOC's Reasoning

DOC asserts the level of work assigned to your position is consistent with the journey level, independent work identified by the CIS 2 classification. DOC contends that at the CIS 4 level, positions either supervise employees or perform expert level work. DOC asserts the level of expertise required of a particular job classification is determined by the agency. As such, DOC contends that positions at the CIS 4 level are typically designated in writing as technical experts. DOC believes your assigned duties and level of responsibility fit within the CIS 2 classification.

Director's Determination

This position review was based on the work performed for at least the six-month period prior to January 25, 2007, the date the Human Resources Office at AHCC received your Position Review Request.

As the Director's designee, I carefully considered all of the documentation in the file, the exhibits presented during the Director's review meeting, and the verbal comments provided by both parties. Based on my review and analysis of your assigned duties and responsibilities, I conclude your position should be reallocated to the Correctional Industries Supervisor 4 classification.

Rationale for Determination

I reviewed your Position Review Request (PRR) in conjunction with the Position Description Form (PDF) for your position, dated December 29, 2006 (Exhibits C-3 and D-1). Both documents indicate that your position's purpose is to manage the Computer Production Program at AHCC, specifically the Computer for Kids Program. This program is part of a consortium that includes DOC, the Office of the Superintendent for Public Instruction (OSPI), and the Department of General Administration (GA).

Although you do not supervise or lead other staff members, you do supervise offenders who work in the program. During the Director's review conference, you clarified that you supervise approximately 24 offenders performing 11 distinct jobs, as they relate to repairing and refurbishing the surplus of state computers that filter through your program.

The AHCC organizational chart (Exhibit C-4) shows that you report directly to Correctional Program Manager Lori Morrow, who also signed the PDF for your position.

The Essential Functions portion of the PDF describes your position, in part, as follows (Exhibit C-3, page 2):

. . . Serves as *expert level* position supervising offenders in repair of computers for the CFK [Computer for Kids] program providing enhanced safety to community through further job experience, education and training for inmates.

- Responsible for planning, organizing, implementing, coordinating and controlling the Computer Production program as it serves the Computer for Kids state program.
- Coordinates procedures and communication between CFK member agencies; GA, OSPI, Eastern Washington School Districts and DIS (Department of Information Services).
- Defines and establishes computer repair procedures, standards, and specifications.
- Determines daily production goals, monitors production operations.
- Provides technical direction and supervision.
- Assures compilation of complete inventory data.
- Hires and trains inmate workers and oversees inmate and facility security.
- Maintains a professional work environment while representing DOC and AHCC to the public.

The majority of your assigned work (60%) has been described as providing operations supervision and *expert technical direction* with regard to hiring, supervising, instructing, training, directing, and evaluating an inmate work crew for the computer production program. In addition, 20% of your key work activities involve managing the Computer Production Program to include organizing, implementing, and coordinating all aspects of the program and coordinating with other agencies that make up the Computer for Kids consortium. This section of the PDF also indicates that your position is responsible for developing and operating within an annual budget and maintaining control over inventory, as well as determining production schedules. During the Director's review conference, you clarified that you do not have complete budget responsibility but that you operate within a budget and maintain control over the Computer Production Program's inventory.

You further indicated that you have independent responsibility for managing the Computer Production Program at AHCC as it relates to the technical business of repairing the computers. While you may consult your supervisor, the Correctional Program Manager, if custody-type issues arise concerning the offenders you supervise, you stated your supervisor is not involved in the technical operations of running the Computer Production Program. This is supported by the duties on your PDF, which include the functions of planning, organizing and implement operations; defining and establishing procedures and standards; serving in an expert level position and providing expert technical direction; and managing the computer program operations to include developing and operating within a budget, maintaining control over inventory, and determining production schedules. You also communicate with other agencies and work directly with customers to ensure orders meet requirements and to ensure good customer relations.

At the time of your request for a position review, the Correctional Industries classifications were included in the Correctional Industries Manufacturing Occupational Category. At that time, the classes within most occupational categories consisted of four levels with increasing responsibility. This particular occupational category included the Correctional Industries Supervisor Assistant 1; Correctional Industries Supervisor 2; and Correctional Industries Supervisor 4 classes. The duties assigned to your position fit within the category concept for this series, which "works with offender inmates to teach them a variety of trades and other skills used in the manufacturing process." In this case, the skills relate to rebuilding computers.

The distinguishing characteristics of the Correctional Industries Supervisor 2 class are described as follows:

This is the journey, working or occupational level of the series. Incumbents perform their work independently and are competent to resolve issues within their area of responsibility. Position often lead or supervise offenders or staff in different occupational categories.

The distinguishing characteristics for the Correctional Industries Supervisor 4 indicate the following:

This is the supervisory or expert level of the series. Positions manage the operations of one or more production, processing, or service units, and supervise a level 2 subordinate. Positions develop operating budgets, shop production schedules, and manage inventory. Positions train, direct, and supervise offender workers in all phases of the manufacturing process and operation.

Although you independently perform work and resolve issues within your area of responsibility, characteristic of the CIS 2 level, your position has also been described as an expert level position providing expert technical direction. At the CIS 4 level, positions may either supervise or perform expert level work.

While examples of work do not form the basis for an allocation, they lend support to the work envisioned within a classification. Many of the examples of work given at the CIS 2 and 4 levels are similar. For example, both CIS 2 and 4 positions may be responsible for training and supervision of offender workers. Some of the distinctions include the following:

- CIS 2 positions plan and schedule production based on a master schedule, where CIS 4 positions determine the shop production schedule.

Your PDF indicates that you have responsibility for determining production schedules.

- CIS 2 and 4 positions both recommend design and engineering improvements to products/services. However, CIS 4 positions also implement process improvements to enhance operations.

Your PDF indicates that you have responsibility for implementing and coordinating all aspects of the Computer Production Program at AHCC.

- CIS 4 positions typically develop an annual operating budget and are responsible for operating within the established budget, as well as maintaining control over inventory.

Your PDF indicates you have some level of responsibility for developing and operating within a budget and responsibility for maintaining inventory control.

- *Your position also works directly with customers as required to ensure that orders meet customer requirements and to ensure continuing good customer relations, which are examples of work given at the CIS 4 level.*

When weighing the level of managerial responsibility associated with running the Computer Production Program, as well as the indication your position serves as an expert level position, the preponderance of your assigned work is more in line with the CIS 4 classification.

Both the Personnel Appeals Board (PAB) and the Personnel Resources Board (PRB) have addressed the concept of best fit. In Allegri v. Washington State University, PAB Case No. ALLO-96-0026 (1998), the Personnel Appeals Board (predecessor to the PRB)

noted that while the appellant's duties and responsibilities did not encompass the full breadth of the duties and responsibilities described by the classification to which his position was allocated, on a best fit basis, the classification best described the level, scope and diversity of the overall duties and responsibilities of his position. Salsberry v. Washington State Parks and Recreation Commission, PRB Case No. R-ALLO-06-013 (2007).

On a best fit basis, the duties and responsibilities assigned to your position fit within the Correctional Industries Supervisor 4 classification. Position #3018 should be reallocated to the Correctional Industries Supervisor 4 classification.

Appeal Rights

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following:

An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to . . . the Washington personnel resources board Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken.

The address for the Personnel Resources Board is 2828 Capitol Blvd., P.O. Box 40911, Olympia, Washington, 98504-0911.

If no further action is taken, the Director's determination becomes final.

c: David Cahill, DOC
Lisa Skriletz, DOP

Enclosure: List of Exhibits